

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF MISSISSIPPI**

**In re:**

Terry C. & Holly L. Linville

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)  
)  
)  
**Case No:** 19-14554-JDW

**Debtor(s).**

)  
**Chapter:** 13

**DEBTOR(S)' MOTION TO DISMISS CHAPTER 13 CASE**

Comes now the Debtor(s) in the above-captioned case and move(s) this Court for an order dismissing this case pursuant to 11 U.S.C. § 1307(b). The Debtor(s) represent(s) to the Court that this case has not previously been converted under Section 706, 1112 or 1208 of Title 11 of the United States Code, and that this Motion is being filed and served as required by Fed. R. Bankr. P. 9013.

WHEREFORE, the Debtor(s) request(s) that the Court enter an ex parte order dismissing this case, ordering the chapter 13 trustee to file a final report and account, and giving parties-in-interest 14 days to object to the dismissal pursuant to Local Rule .

Respectfully Submitted,

/s/ Jimmy E. McElroy

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Attorney for the Debtor, Bar #2540  
3780 S. Mendenhall Road  
Memphis, TN 38115  
(901) 363-7283

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF MISSISSIPPI**

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**In Re:**

**Terry C. & Holly L. Linville,  
  
Debtor.**

**Case No. 19-14554-JDW  
Chapter 13**

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**ORDER DISMISSING CHAPTER 13 CASE ON MOTION OF DEBTOR(S) (Dkt. )**

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Upon the motion of debtor(s) to dismiss the above-captioned case pursuant to 11 U.S.C. §1307(b); and the debtor(s) having represented to the Court that this case has not previously been converted under Section 706, 1112 or 1208 of Title 11 of the United States Code, and that the Motion was filed and served as required by Fed. R. Bankr. P. 9013, it is hereby

**ORDERED, ADJUDGED and DECREED that**

1. The above-captioned case is hereby DISMISSED.
2. The Chapter 13 Trustee shall file a Chapter 13 final report and account as required by Fed. R. Bankr. P. 5009.
3. Pursuant to Local Rule 1017-1(f)(2)(C), notwithstanding the entry of this Order, any party in interest may file an objection to the debtor(s)' motion within 14 days of the entry of this Order. Upon consideration of any timely-filed objection, at its discretion, the Court may either conduct a hearing or rule on the matter without a hearing.

**##END OF ORDER##**

APPROVED:

/s/ Jimmy E. McElroy MSB #2540  
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Label Matrix for local noticing  
0537-1  
Case 19-14554-JDW  
Northern District of Mississippi  
Aberdeen  
Tue Nov 19 10:28:03 CST 2019

Capital One  
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Case 19-14554-JDW  
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Aberdeen  
Holly Lynn Linville  
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Byhalia, MS 38611-9167  
City

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Case 19-14554-JDW  
Northern District of Mississippi  
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